

**UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE:     RANDY W. POLONS

Debtor(s)

CHAPTER 13

JACK N. ZAHAROPOULOS  
CHAPTER 13 TRUSTEE  
Movant

CASE NO: 5-24-00794-MJC

vs.  
RANDY W. POLONS

Respondent(s)

**TRUSTEE'S MOTION TO DISMISS CASE**

AND NOW, on November 15, 2024, comes Jack N. Zaharopoulos, Standing Chapter 13 Trustee for the Middle District of Pennsylvania, through his attorney Agatha R. McHale, Esquire, and respectfully represents the following:

1. An Amended Plan was filed on September 4, 2024.
2. A hearing was held and an Order was entered on October 31, 2024 directing that an amended plan be filed within fourteen (14) days.
3. As of the date of this Motion, an amended plan has not been filed.
4. The delay in filing a confirmable plan in this case is prejudicial to creditors.

WHEREFORE, your Trustee respectfully requests your Honorable Court dismiss the case upon the basis that Debtors have failed to propose a confirmable plan.

Respectfully submitted,

/s/ Agatha R. McHale, Esquire

Id: 47613

Attorney for Movant

Jack N. Zaharopoulos

Standing Chapter 13 Trustee

Suite A, 8125 Adams Drive

Hummelstown, PA 17036

Phone: 717-566-6097

email: amchale@pamd13trustee.com

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**NOTICE**

NOTICE IS HEREBY GIVEN that Jack N. Zaharopoulos, Standing Chapter 13 Trustee for the Middle District of Pennsylvania has filed a Motion to Dismiss for failure to file a confirmable Chapter 13 Plan.

YOU ARE HEREBY NOTICED that a hearing has been scheduled on this matter for:

U.S. Bankruptcy Court  
Max Rosenn U.S. Courthouse  
Courtroom #2  
197 S. Main Street  
Wilkes Barre, PA 18701

Date: December 5, 2024

Time: 10:00 AM

Any objection or response filed must be filed with the Clerk, U.S. Bankruptcy Court and served on the Chapter 13 Trustee.

Date: November 15, 2024

/s/ Agatha R. McHale, Esquire  
Id: 47613  
Attorney for Trustee  
Jack N. Zaharopoulos  
Standing Chapter 13 Trustee  
Suite A, 8125 Adams Dr.  
Hummelstown, PA 17036  
Phone: (717) 566-6097  
email: [info@pamd13trustee.com](mailto:info@pamd13trustee.com)

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Debtor(s)

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Respondent(s)

**CERTIFICATE OF SERVICE**

I certify that I am more than 18 years of age and that on November 15, 2024, I served a copy of this Motion to Dismiss, Notice and Proposed Order on the following parties by 1<sup>st</sup> Class mail from Hummelstown, PA, unless served electronically.

Served electronically

MICHAEL A CIBIK, ESQUIRE  
CIBIK LAW, PC  
1500 WALNUT ST, SUITE 900  
PHILADELPHIA, PA 19102

UNITED STATES TRUSTEE  
1501 NORTH 6TH STREET  
BOX 302  
HARRISBURG, PA 17102

Served by 1<sup>st</sup> Class Mail

RANDY W. POLONS  
554 TRAILWOOD LAKE RD  
BEAR CRK TWP, PA 18702-8511

I certify under penalty of perjury that the foregoing is true and correct.

Date: November 15, 2024

/s/ Vickie Williams

Office of Standing Chapter 13 Trustee  
Jack N. Zaharopoulos  
Suite A, 8125 Adams Dr.  
Hummelstown, PA 17036  
Phone: (717) 566-6097  
email: [info@pamd13trustee.com](mailto:info@pamd13trustee.com)

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Debtor(s)

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Respondent(s)

**ORDER DISMISSING CASE**

Upon consideration of the Trustee's Motion to Dismiss, it is hereby Ordered that the above-captioned bankruptcy be and hereby is dismissed. The Court retains jurisdiction to rule on any timely filed fee application.